

Docket No.: 50224-430

BEST AVAILABLE COPY

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled **ARTIFICIAL MUSCLE HYDROGEL BLENDS REVERSIBLY ELECTROACTUATED NEAR NEUTRAL pH, IMPLANTABLE ACTUATING DEVICES, AND METHODS USING THE SAME**, the specification of which

☒ is attached hereto.

☐ was filed on as Application Serial No.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):  
Number Country

Day/Month/Year filed

Priority Claimed



I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):  
Application Number 60/509,054

Filing Date March 19, 2003

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):  
Serial No.

Filing Date

Status: Patented, Pending, Abandoned

4. d

B+2E172 658

ps 111:60 40 SI JRM

BEST AVAILABLE COPY

BEST AVAILABLE COPY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Steven W. Alks, Reg. No. 50,532; Stephen A. Becker, Reg. No. 26,527; John G. Bliskis, Reg. No. 37,095; Daniel Buoca, Reg. No. 42,368; Kenneth L. Caga, Reg. No. 26,151; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Lawrence T. Cullen, Reg. No. 44,489; Paul Evinaky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Shamita Ds. Etienne-Cummings, Reg. No. 46,072; Ramyar M. Farid, Reg. No. 46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuiz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Eric J. Kraus, Reg. No. 36,190; Catharine Krupka, Reg. No. 46,227; Jack Q. Levar, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Burman Y. Mathis III, Reg. No. 44,907; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Pequin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pogg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Gene Z. Rubinson, Reg. No. 33,351; Brian K. Seidleck, Reg. No. 51,321; Joy Ann G. Semuskas, Reg. No. 27,952; Jiri F. Sostana, Reg. No. 52,456; David A. Spensard, Reg. No. 37,449; Arthur A. Steiner, Reg. No. 26,106; Wesley Strickland, Reg. No. 44,563; Michael D. Switzer, Reg. No. 39,552; David M. Tendant, Reg. No. 48,362; Judith L. Toffenetti, Reg. No. 39,048; Daniel S. Trainor, Reg. No. 43,859; Shival P. Virmani, Reg. No. 45,032; Kelli N. Watson, Reg. No. 47,170; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisatuch, Reg. No. 41,557; Edward J. Wisc, Reg. No. 34,523; Jeffery A. Woller, Reg. No. 48,041; Alexander V. Yampolsky, Reg. No. 36,324; Robert W. Zelnick, Reg. No. 36,976; and Wei-Chen Chen, admitted under 37 CFR 10.9(b) all of

McDERMOTT, WILL & EMERY  
600 13<sup>th</sup> Street N.W.  
Washington, DC 20005-3096

Direct Telephone Calls to: Telephone 202-756-8000

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: Sylvia Dautert

Inventor's signature: Sylvia Dautert

Residence: 4804 Pleasant Lawn Way, Lexington, KY 40515

Date: 3/12/04

Citizenship: Spanish

Post Office Address: 4804 Pleasant Lawn Way, Lexington, KY 40515

BEST AVAILABLE COPY

BEST AVAILABLE COPY

Full name of second inventor: Serban R. Petcu

Inventor's signature: *S. Petcu*

Residence: 802 Cherry Lane, Apartment 106, East Lansing, MI 48823-5543

Date: 3/16/04

Citizenship: Canadian and Romanian

Post Office Address: 802 Cherry Lane, Apartment 106, East Lansing, MI 48823-5543

Full name of third inventor: Leonidas G. Bachas

Inventor's signature: *L. Bachas*

Residence: 4804 Pleasant Lawn Way, Lexington, KY 40515

Date: 3/18/04

Citizenship: Greek

Post Office Address: 4804 Pleasant Lawn Way, Lexington, KY 40515

Full name of fourth inventor: Marc J. Madou

Inventor's signature: *Marc Madou*

Residence: 68 Whitman, Irvine, CA 92612

Date: 3/18/04

Citizenship: Belgian

Post Office Address: 10390 Pacific Center Court, San Diego, CA 92121 68 Whitman, Irvine, CA 92612

Full name of fifth inventor: Elisavet Moschou

Inventor's signature: *Elisavet Moschou*

Residence: Lexington Kentucky

Date: 3/18/04

Citizenship: Greek

Post Office Address: 3051 Kirklevington Drive, Apt. 66, Lexington, KY 40517

BEST AVAILABLE COPY